

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OKLAHOMA



IN RE:

JOHN DAVID IVILL and  
RAENITA DORTHY IVILL,

DEBTORS.

Case No.: 13-11729-R  
Chapter 13

**AGREED ORDER**

THIS MATTER comes on before the Court on DLJ MORTGAGE CAPITAL, INC.'s ("Movant") Motion for Relief from Automatic Stay and Abandonment of Property filed in this matter on December 10, 2013, and Debtors' response thereto. The parties have reached an agreement which is outlined below, and which the Court hereby adopts.

The parties stipulate and agree to the following.

1. Movant is the holder of a claim secured by a valid recorded mortgage lien upon the following real property (the "property"):

LOT THREE (3) IN BLOCK ONE (1), OF GREEN MEADOWS ESTATES FOUR, A SUBDIVISION IN SECTION 23, TOWNSHIP 21 NORTH, RANGE 14 EAST OF THE INDIAN BASE & MERIDIAN, ACCORDING TO THE RECORDED PLAT THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA (SURFACE ESTATE ONLY) a/k/a 17607 E. 89th Street North, Owasso, OK 74055;

2. The Debtors are currently delinquent with their post-petition mortgage as follows:

<b>Ongoing Monthly Mortgage Payments:</b>	
12/13 to 03/14 at \$1,068.35 each.....	<b>\$4,273.40</b>
Amount currently in suspense .....	<b>\$228.00</b>
Total Due .....	<b>\$4,045.40</b>

3. Debtors shall be allowed to cure the now existing post-petition default by paying \$674.23/month for a total of five (5) months, commencing on May 15, 2014, and continuing through, and including September 15, 2014, and a final payment of \$674.25 on October 15,

2014. **Said payments shall be in addition to the regular monthly mortgage payment.**

4. If Debtors default under the terms and condition of this agreement, Movant shall give the Debtors and their attorney written notice that they have one week to comply with said requirement or Movant will be allowed to request an ex-parte order of relief.

**IT IS THEREFORE ORDERED** that the automatic stay pursuant to 11 U.S.C. § 362(a) shall terminate and the real property described above shall be ordered abandoned without further notice or hearing in the event the Debtors fail to comply with the terms outlined above. It is further ordered that in the event of such default, and upon non-compliance with the notice required, the Movant shall be authorized to submit an ex-parte Order Modifying the Automatic Stay and Abandoning Property, upon the filing of an affidavit signed by a non-attorney representative verifying the default.

**IT IS FURTHER ORDERED** that if Debtors are successful in making the payments to cure the above-stated arrearage, the Motion for Relief will be denied.

**IT IS FURTHER ORDERED** that if the Automatic Stay is modified and the above property ordered abandoned, the Trustee is authorized to cease and stop all further payments to the mortgage holder as stated in the confirmed chapter 13 plan herein.

**SO ORDERED** this 8<sup>th</sup> day of April, 2014.

  
DANA L. RASURE  
UNITED STATES BANKRUPTCY JUDGE

**AGREED TO:**

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